

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/16/19

JORGE RIVERA,
*on behalf of himself, FLSA Collective Plaintiffs
and the Class,*

Plaintiff,

Case No. 18-cv-1420 (GHW)

v.

ORDER

THE ANTHEM COMPANIES, INC.
f/k/a THE WELLPOINT COMPANIES, INC.,
and HEALTHPLUS HP, LLC
d/b/a EMPIRE BLUECROSS and
BLUESHIELD HEALTH PLUS
f/k/a AMERIGROUP NEW YORK, LLC,

Defendants.

It is hereby ORDERED as follows:

(1) The Court grants conditional certification of a collective action under § 216(b) of the Fair Labor Standards Act (“FLSA”) on behalf of all non-managerial Retention Associates, Facilitated Enrollers, or Medicaid Representatives employed by The Anthem Companies, Inc. f/k/a The Wellpoint Companies, Inc., and HealthPlus HP, LLC d/b/a Empire BlueCross And BlueShield HealthPlus f/k/a Amerigroup New York, LLC, employed at any of their New York City offices on or after May 10, 2016 (collectively, the “Putative Opt-in Plaintiffs”).

(2) The Court approves the parties’ proposed notice of this FLSA collective action and the Consent to Join form, which were submitted to the Court on November 21, 2019 (ECF Dkt. No. 82) (the “Notice”).

(3) The Court approves the parties' proposed schedule for distributing Notice to Putative Opt-in Plaintiffs:

(a) **December 24, 2019:** Deadline for Defendants to produce the list of Putative Opt-in Plaintiffs to third-party administrator and Plaintiff's counsel.

(b) **January 10, 2020:** Deadline to distribute the Notice and Consent form to Putative Opt-in Plaintiffs.

(c) **February 14, 2020:** Deadline to distribute a reminder notice to Putative Opt-in Plaintiffs.

(d) **March 10, 2020** (i.e. 60 days from the date of initial notice): Deadline for employees to opt into the collective action.


(4) The Court approves Arden Claims Service LLC as the third-party administrator to administer the distribution of notices.

(5) Plaintiff's counsel shall be permitted access to an anonymized version of the class list, which does not include the names, full mailing addresses, or full e-mail addresses of the members of the putative collective.

(6) Defendants shall post the Notice in each of Defendants' offices on employee bulletin boards and in break rooms (or other common areas where potential opt-in plaintiffs are likely to congregate). The duration of the posting shall be from the date of the Notice mailing until the end of the opt-in period.

SO ORDERED.

Date: December 16, 2019
New York, New York


GREGORY H. WOODS
United States District Judge